

REMARKS

Claims 1-5, 9-14, 16, 31, and 32 are pending in the application. Claims 31 and 32 are currently amended.

Claims 31 and 32 have been amended to recite that the mixture contains soybean oil bearing material, and that the solvent constituents are present in effective amounts to leave less than 0.1% by weight phospholipids in crude oil to be extracted from the soybean oil bearing material. These amendments find support, for example, on pages 22-25 of the Specification. The subject matter addresses the problem of phospholipid in soybean oil extract, as discussed in the carryover paragraph on pages 2-3.

Claims 31 and 32 stand rejected under 35 U.S.C. §102(b) as being anticipated by Cazenave, United States Patent No. 4,118,521. Emphasis is made of Examples 1 and 3 thereof, which describes stripping an aromatic fraction from an aqueous coffee suspension. The amendments to claims 31 and 32 add a soybean material and state that the solvent constituents are present in effective amounts for selective removal of the triglyceride fraction while leaving the phospholipid component substantially in place. These features of the solvent extraction mixture are not taught or suggested by the '521 patent.

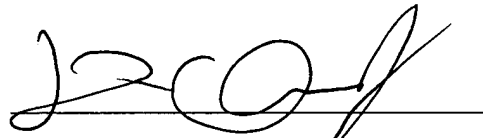
Claims 31 and 32 stand rejected under 35 U.S.C. §102(b) as being anticipated by Kressee, United States Patent No. 4,059,604. Emphasis is made of Example IV, which describes removing oil from okra. stripping an aromatic fraction from an aqueous coffee suspension. The amendments to claims 31 and 32 add a soybean material and state that the solvent constituents are present in effective amounts for selective removal of the triglyceride fraction while leaving the phospholipid component substantially in place. These features of the solvent extraction mixture are not taught or suggested by the '604 patent.

Claims 1-5, 9-14, 16, 31 and 32 stand provisionally rejected over claims 31 and 32 of copending application serial number 10/081,319. A terminal disclaimer is submitted herewith to overcome this rejection.

Should the Examiner believe that issues remain outstanding, the Examiner is respectfully requested to call Applicants' undersigned attorney in an effort to resolve such issues and advance this application to issue.

Respectfully submitted,

LATHROP & GAGE L.C.

A handwritten signature in black ink, appearing to read "JC", is written over a horizontal line.

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